

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. (Currently amended) A squirrel proof bird feeder, comprising:
 - (a) a base;
 - (b) one or more feeding chambers, wherein ~~[[one]]~~ a bottom end of said one or more feeding chambers ~~[[are]]~~ being ~~[[securely]]~~ affixed to said base;
 - (c) a top locking device, wherein ~~[[an]]~~ a top end of said one or more feeding chambers opposite to said base ~~[[are]]~~ being ~~[[securely]]~~ disposed within said top locking device, said top lock device includes a open top to access said top end of said one or more feeding chambers; and
 - (d) a removable guard that is capable of being disposed along a surface of said top locking device, wherein said removable guard has one or more guard units, wherein each guard unit of said one or more guard units being adapted to cover at least a portion of said open top of said top locking device, ~~wherein units in apposition are securely adjoined to one another,~~ and wherein said removable guard extends horizontally outward beyond a feeding chamber to form an overhang to protect feed within said one or more feeding chambers and feeding birds below from ill-climate weather,

whereby said covered portion of said open top of said top locking device so as to prevent said prevents the squirrel from substantially accessing feed in said one or more feeding [[chamber]] chambers below said covered portion of said open top while allowing the squirrel access to feed in a portion of said one or more feeding chambers not substantially below said covered portion of said open top of said top locking device.

2. (previously presented) The feeder of claim 1, wherein said one or more guard units comprise three individual units.
3. (previously presented) The feeder of claim 1, wherein said one or more feeding chambers comprise three feeding chambers.
4. (previously presented) The feeder of claim 1, wherein said one or more feeding chambers further comprise one or more portals.
5. (previously presented) The feeder of claim 4, wherein said portals have disposed thereon a perch.
6. (previously presented) The feeder of claim 1, wherein said chambers are securely affixed to said base via a snap-fit mechanism.
7. (previously presented) The feeder of claim 1 further comprising a dome, wherein said dome covers the top of said feeding chambers.
8. (previously presented) The feeder of claim 7, wherein said dome is independent of said guard.
9. (previously presented) The feeder of claim 7, wherein said dome is part of said guard.
10. (previously presented) The feeder of claim 1, wherein said guard is removably disposed on said feeder.
11. (new) The feeder of claim 1 wherein two or more guard units in apposition are securely adjoined to one another.

12. (new) The feeder of claim 1 wherein one or more guard units are connected to said top locking device.

13. (new) The feeder of claim 1 wherein said guard includes a gap formed between said guard units, wherein said gap being equivalent in size to one or more of said guard units.

14. (new) A bird feeder comprising:
one or more feeding chambers, wherein each feeding chamber of said one or more feeding chambers includes a top access opening; and
at least one guard disposed over said top access opening, said at least one guard being adapted to cover a portion of said top access opening,
whereby the squirrel is prevented from accessing feed in a portion of said one or more feeding chambers below said covered portion of said top access opening while allowing the squirrel to access feed in a portion of said one or more feeding chambers not below said covered portion of said top access opening.

15. (new) A bird feeder comprising:
one or more feeding chambers, wherein each feeding chamber of said one or more feeding chambers includes an top opening; and
a modular guard being disposed substantially above said top opening and being adapted to cover at least a portion of said top opening,
whereby the squirrel is prevented from accessing feed in said feeder substantially below said covered portion of said top opening while allowing the squirrel to access feed in another portion of said feeder not below said covered portion of said top opening.

16. (new) The feeder of claim 15 wherein said modular guard comprises two or more guard units, wherein each guard unit being configured to cover a predetermined area of said top opening, and further wherein said each guard unit being adapted for arrangement with each other.